

Senate Bill 123

By: Senators Rogers of the 21st, Shafer of the 48th, Hawkins of the 49th, Hill of the 32nd, Schaefer of the 50th and others

AS PASSED

AN ACT

To amend Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to elementary and secondary education, so as to provide for requirements for placement of students in classrooms; to require that twins or other multiples are placed in the same classroom if the parent or guardian requests; to provide that each local board of education may set maximum class sizes for high school general education programs under certain conditions; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to elementary and secondary education, is amended by adding a new Code section to read as follows:

"20-2-71.

(a) For purposes of this Code section, the term 'higher order multiples' means triplets, quadruplets, quintuplets, or more.

(b) A school must place twins or higher order multiples from the same family together in the same classroom if the children are in the same grade level at the same school and meet the eligibility requirements of the class, and the children's parent or legal guardian requests the placement, unless factual performance evidence shows proof that these specific students should be separated. The parent or guardian must request the classroom placement no later than 5 days before the first day of each school year or 5 days after the first day of attendance of the children during a school year if the children are enrolled in the school after the school year commences."

SECTION 2.

Said chapter is further amended in Code Section 20-2-182, relating to program weights, maximum class size, and reporting requirements, by revising paragraph (2) of subsection (i) as follows:

"(2) The State Board of Education shall adopt for each instructional program authorized pursuant to Part 3 of this article except those programs included in paragraph (1) of this subsection the maximum number of students which may be taught by a teacher in an instructional period. For the remedial education, vocational laboratory, alternative education, and early intervention programs, the State Board of Education shall provide for a system average maximum class size that shall not exceed the funding class size by more than 20 percent, unless specifically authorized by the State Board of Education; provided, further, that the system average maximum class size for special education, gifted, and English for speakers of other languages classes shall be set by the State Board of Education. For each instructional program covered under this paragraph, the maximum number of students who may be taught by a teacher in an instructional period shall not exceed the system average maximum class size for the program by more than two students; provided, however, that a system average maximum class size which results in a fractional full-time equivalent shall be rounded up to the nearest whole number; provided, however, that this provision shall not apply to general education programs in mathematics, science, social studies, and language arts for grades 9 through 12. Beginning with the 2007-2008 school year, each local board of education shall be allowed to exceed maximum class sizes set by the state board pursuant to this paragraph for general education programs in mathematics, science, social studies, and language arts for grades 9 through 12 and may establish such maximum class sizes that shall not exceed the funding class size by more than 39 percent and shall annually report to the state board and to each school council in its school system such class sizes established. For a period not to exceed seven years, beginning with the 2000-2001 school year, local school systems shall be allowed to exceed the maximum class sizes set forth in this subsection in a manner consistent with State Board of Education rules and subsection (k) of this Code section, except for those programs included in paragraph (1) of this subsection beginning with the 2006-2007 school year. The State Board of Education shall lower the current maximum class sizes set by state board rules in effect for the 1999-2000 school year, beginning with the 2000-2001 school year, by an amount so that, beginning with the 2007-2008 school year, State Board of Education rules are in compliance with this subsection; provided, however, that this shall not apply to the programs included in paragraph (1) of this subsection beginning with the 2006-2007 school year."

SECTION 3.

All laws and parts of laws in conflict with this Act are repealed.